

REMARKS

Claims 1-16 are pending in this application. In response to the Restriction Requirement issued in this case, Applicants cancel original claims 1-16, without prejudice. Applicants reserve the right to pursue the subject matter in original Claims 1-2 and 7-16 in one or more subsequent divisional applications.

New claims 20-26 are pending. New Claims 20-26 are added to more particularly point out and distinctly claim the subject matter Applicants regard as their invention. Support for claim 20 may be found at page 11, lines 14-19 and page 12, lines 11-16. Support for claims 21 and 22 may be found at page 12, lines 5-10. Support for claim 23 may be found at page 12, lines 23-28. Support for new claims 24-26 can be found throughout the Example sections and with SEQ ID NO:7. Therefore, no new matter is added by cancellation of claims 1-19 and entry of new claims 20-26.

Objection to the Specification Under 35 U.S.C. §112, Second Paragraph

Claims 3-6 were rejected under 35 U.S.C. §112, second paragraph, allegedly "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." The Examiner takes the position that claims 3-6 do not clearly recited the metes and bounds of the terms "modulate," "inhibiting," "enhancing," "inhibition," and "enhancement". Furthermore, the Examiner takes the position that these claims do not contain "any positive, manipulative steps serving to identify a method of identifying the compounds," and that it is "unclear what voltage activated cation channel is used" in claims 3-6. Applicants respectfully overcome this rejection by cancellation of claims 3-6 and entry of new claims 20-26. New claims 20-26 do not recite the terms "modulate," "inhibiting," "enhancing," "inhibition," or "enhancement". Also, new claims 20-26 succinctly recite a method of identifying ligands that modulate the sodium channels by way of coexpressing both *para* and *tipE* in host cells and by measuring the voltage-activated current across the cell membrane before and after contacting the host cell with a ligand. Therefore, the Examiner's basis for the rejection is overcome by cancellation of original claims 3-6, and entry of new claims 20-26. To this end, withdrawal of the objection to the specification is proper and is requested.